

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AT&T COMMUNICATIONS OF THE SOUTH)	
CENTRAL STATES, INC. CUSTOM NETWORK)	CASE NO. 91-323
SERVICES TARIFF)	

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed August 15, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue, cost, and unit volume data contained in the Revenue Analysis for AT&T's Custom Network Services Tariff on the grounds that disclosure of the information is likely to cause AT&T competitive injury, and it appearing to this Commission as follows:

AT&T seeks to protect as confidential the revenue, cost, and unit volume data contained in its Revenue Analysis which it has filed in support of its Custom Network Services Tariff for which it seeks approval in this proceeding. The information sought to be protected is not known outside of AT&T and is known only to those AT&T employees who have a legitimate business need to know and act upon the information. AT&T seeks to preserve the confidentiality of the information through all appropriate means.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the

information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.



The revenue, weighted cost, and forecasted unit volume information for this service would provide AT&T's competitors with pricing and market information regarding a specific customer which is not otherwise available. This information could be used by these competitors in pricing and marketing their services. Therefore, disclosure of the information is likely to cause AT&T competitive injury.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the revenue, cost, and unit volume data contained in the Revenue Analysis for AT&T's Custom Network Services Tariff, which AT&T has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 18th day of September, 1991.

PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman

ATTEST:


Executive Director

Commissioner